
HOUSE BILL 2288

State of Washington

68th Legislature

2024 Regular Session

By Representative Schmick

1 AN ACT Relating to promoting Washington agriculture through
2 regulatory reforms; and amending RCW 90.48.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.48.120 and 1992 c 73 s 25 are each amended to
5 read as follows:

6 (1) (a) Whenever, in the opinion of the department, any person,
7 other than a person engaged in an agricultural activity, shall
8 violate or creates a substantial potential to violate the provisions
9 of this chapter or chapter 90.56 RCW, or fails to control the
10 polluting content of waste discharged or to be discharged into any
11 waters of the state, the department shall notify such person of its
12 determination by registered mail. Such determination shall not
13 constitute an order or directive under RCW 43.21B.310. Within
14 (~~thirty~~) 30 days from the receipt of notice of such determination,
15 such person shall file with the department a full report stating what
16 steps have been and are being taken to control such waste or
17 pollution or to otherwise comply with the determination of the
18 department. Whereupon the department shall issue such order or
19 directive as it deems appropriate under the circumstances, and shall
20 notify such person thereof by registered mail.

1 (b) Whenever, in the opinion of the department, any person
2 engaged in an agricultural activity violates the provisions of this
3 chapter or chapter 90.56 RCW, or fails to control the polluting
4 content of waste discharged or to be discharged into any waters of
5 the state, the department shall notify such person of its
6 determination by registered mail. Such determination shall not
7 constitute an order or directive under RCW 43.21B.310. Within 30 days
8 from the receipt of notice of such determination, such person shall
9 file with the department a full report stating what steps have been
10 and are being taken to control such waste or pollution or to
11 otherwise comply with the determination of the department. Whereupon
12 the department shall issue such order or directive as it deems
13 appropriate under the circumstances and shall notify such person
14 thereof by registered mail.

15 (2) Whenever the department deems immediate action is necessary
16 to accomplish the purposes of this chapter or chapter 90.56 RCW, it
17 may issue such order or directive, as appropriate under the
18 circumstances, without first issuing a notice or determination
19 pursuant to subsection (1) of this section. An order or directive
20 issued pursuant to this subsection shall be served by registered mail
21 or personally upon any person to whom it is directed.

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